

Prob12B  
(7/93)

**United States District Court  
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing is Attached)**

**Name of Offender:** Morris Ellis

**Case Number:** 05-CR-10139 -RWZ

**Name of Sentencing Judicial Officer:** Unassigned, U.S. District Judge

**Date of Original Sentence:** 11/17/00

**Original Offense:** Conspiracy to Possession with Intent to Distribute Marijuana, in violation of 21 U.S.C. § 846, and Possession with Intent to Distribute Marijuana, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B), and Aiding and Abetting, in violation of 18 U.S.C. § 2

**Original Sentence:** 70 months custody followed by 60 months supervised release

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:** 12/1/04

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years  
☒ To modify the conditions of supervision as follows:

The defendant will remain at his personal residence from 7pm to 6am for a total of 60 days curfew, unless otherwise excused by the Probation Department.

**CAUSE**

On March 26, 2007, the defendant was arrested by the Boston Police Department on the charge of Possession of Class A Substance and Possession of Class D Substance.

On March 30, 2007, this officer went to the defendant's residence to interview the defendant regarding these alleged charges. The defendant stated that he was in his motor vehicle with his 18 year old son at the time of the arrest. The defendant reported that the drugs found in his vehicle belonged to his son, and that his son will take full responsibility for these charges. As a result, the defendant is confident he will not be convicted in this case, and is awaiting his next court date. The defendant was administered a drug test on this date, which tested positive for Marijuana, PCP, and Morphine. The defendant admitted to taking pain killers without a prescription and to smoking a marijuana joint which was laced with PCP on March 27, 2007.

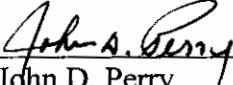
The Probation Department is hopeful that the structure provided by a curfew will assist the defendant in resuming his previous level of compliance. The Probation Department will also refer the defendant for substance abuse treatment and has placed him in our drug testing program. The defendant has consented to this modification as exhibited by the attached Probation Form 49 (Waiver of Hearing to Modify Conditions). While the Probation Department is not seeking further sanctions against the defendant to address his new arrest at this time, we will advise Your Honor of the disposition in this matter and request additional Court intervention, if necessary.

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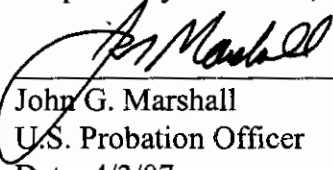
**Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender**

Reviewed/Approved by:

  
John D. Perry  
Deputy Chief U.S. Probation Officer

Respectfully submitted,

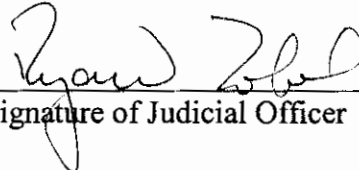
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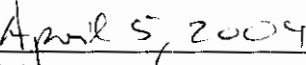
  
John G. Marshall  
U.S. Probation Officer  
Date: 4/3/07

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**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
Signature of Judicial Officer

  
Date

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PROB 49

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

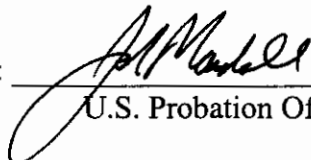
**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant will remain at his personal residence from 7pm to 6am for a total of 60 days, unless otherwise excused by the Probation Department.

Witness:

  
U.S. Probation Officer

Signed:

  
Probationer or Supervised Releasee

  
DATE